



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,837	10/29/2003	Shuichi Kumada	000862.023281.	2477
5514 7590 05/24/2007 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER VO, QUANG N	
			ART UNIT 2625	PAPER NUMBER
			MAIL DATE 05/24/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/694,837

Applicant(s)

KUMADA, SHUICHI

Examiner

Quang N. Vo

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/16/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Spronk (US Pub. No.: 20030123072).

With regard to claim 1, Spronk discloses an image processing apparatus for performing print simulation through a computer network (paragraph 0046), comprising: a device selector, arranged to select a color printer on the network as a print simulation target, and to select another color printer on the network which is used to output a simulation result of the target printer (paragraph 0017,0049); a profile selector, arranged to select a profile required for a color matching process of the print simulation through the network, and to set the selected profile in the target printer (paragraph 0017); a communication section, arranged to transmit image data which is to perform a color matching process to the target printer (paragraphs 0047, 0051), and to receive the image data that has performed the color matching process according to the selected profile from the target printer (paragraph 0051); and an output section, arranged to

make the simulation output printer output an image based on the received image data (paragraph 0049).

With regard to claim 2, Spronk discloses wherein said image processing apparatus and the simulation output printer are present in a single site, the target printer is present in another site, and the two sites are connected through the computer network (paragraph 0017).

With regard to claim 3, Spronk discloses wherein the profile is acquired by searching a profile database connected to the target printer, and a profile database present in the same site as said image processing apparatus in turn (paragraphs 0017, 0018).

With regard to claim 4, Spronk discloses wherein the profile is acquired by searching a profile database connected to the target printer, a profile database present in the same site as the target printer, and a profile database present in the same site as said image processing apparatus in turn (paragraph 0050).

With regard to claim 5, Spronk discloses further comprising a designator arranged to designate a data format of the image data to be received, which has performed the color matching process, and wherein said communication section informs the target printer of the designated data format (paragraph 0050, 0051).

With regard to claim 6, Spronk discloses wherein the target printer rasterizes the image data that has performed the color matching process to bitmap data, converts the rasterized bitmap data to image data of the designated data format, and transmits the converted image data to said image processing apparatus (paragraph 0050).

With regard to claim 7, Spronk discloses an image processing apparatus for performing print simulation through a computer network (paragraph 0046), comprising: a device selector, arranged to select a color printer on the network as a print simulation target, and to select another color printer on the network which is used to output a simulation result of the target printer (paragraph 0017,0049); a profile selector, arranged to select a profile required for a color matching process of the print simulation through the network, and to designate a server of a site where the target printer is present to use the selected profile (paragraph 0017); a communication section, arranged to transmit image data which is to perform a color matching process to the server, and to receive the image data that has performed the color matching process according to the selected profile from the server (paragraphs 0047, 0051); and an output section, arranged to make the simulation output printer output an image based on the received image data (paragraph 0049).

With regard to claim 8, Spronk discloses further comprising a designator arranged to designate a data format of the image data to be received, which has performed the color matching process, and wherein said communication section informs the target printer of the designated data format (paragraph 0051).

With regard to claim 9, Spronk discloses wherein the server transmits the image data that has performed the color matching process to the target printer, and receives image data of the designated data format from the target printer (paragraph 0054).

With regard to claim 10, Spronk discloses wherein the target printer rasterizes the image data received from the server into bitmap data, converts the rasterized

Art Unit: 2625

bitmap data to image data of the designated data format, and transmits the converted image data to server (paragraph 0054).

With regard to claim 11, Spronk discloses an image processing apparatus for performing a preview process through a computer network (paragraph 0046), comprising: a device selector, arranged to select a color printer on the network as a preview target, and to select a color monitor on the network which is used to display a preview image (paragraph 0047,0049); a profile selector, arranged to select a profile required for a color matching process of the preview image through the network, and to set the selected profile in the target printer (paragraph 0017); a communication section, arranged to transmit image data which is to perform a color matching process to the target printer, and to receive the image data that has performed the color matching process according to the selected profile from the target printer (paragraphs 0047,0051); and an output section, arranged to make the preview display monitor display an image based on the received image data (paragraph 0047).

With regard to claim 12, Spronk discloses an image processing apparatus for performing a preview process through a computer network (paragraph 0046), comprising: a device selector, arranged to select a color printer on the network as a preview target, and to select a color monitor on the network which is used to display a preview image (paragraphs 0047,0049); a profile selector, arranged to select a profile required for a color matching process of the preview image through the network, and to designate a server of a site where the target printer is present to use the selected profile (paragraph 0017); a communication section, arranged to transmit image data which is to

perform a color matching process to the server, and to receive the image data that has performed the color matching process according to the selected profile from the server (paragraphs 0047,0051); and an output section, arranged to make the preview display monitor display an image based on the received image data (paragraph 0047):

With regard to claim 13, the subject matter is similar to claim 1. Therefore, the rejection on claim 13 is the same as the rejection on claim 1.

With regard to claim 14, the subject matter is similar to claim 7. Therefore, the rejection on claim 14 is the same as the rejection on claim 7.

With regard to claim 15, the subject matter is similar to claim 8. Therefore, the rejection on claim 15 is the same as the rejection on claim 8.

With regard to claim 16, the subject matter is similar to claim 12. Therefore, the rejection on claim 16 is the same as the rejection on claim 12.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Vo whose telephone number is 5712701121. The examiner can normally be reached on 7:30AM-5:00PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached on 5712727406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Quang Vo

Quang N. Vo 5/16/07
Patent Examiner


TWYLLER LAMB
SUPERVISORY PATENT EXAMINER